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Notice of Allowability

Application No.

10/604,551

Examiner

Julian D. Huffman

Applicant(s)

EHRHARDT, ROBERT

Art Unit

2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 21 October 2005.
2. ☒ The allowed claim(s) is/are 11,23,26,27,33,36,37 and 40-42.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 11/3/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


STEPHEN MEIER
SUPERVISORY PATENT EXAMINER

EXAMINER'S AMENDMENT

The amendment filed 21 October 2005 has not been entered since it is non-compliant.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with W. Kevin Ransom on 3 November 2005.

The application has been amended as follows:

Cancelled claims 43-47.

Claim 11, line 12, inserted the word "thermal" immediately prior to the phrase "print head assembly".

Claim 23, line 12, inserted the word "thermal" immediately prior to the phrase "print head".

33. (currently amended) A printer for printing on media spaced longitudinally along a carrier web having leading edges, the printer comprising:

- a driving mechanism for advancing the carrier web along a media path;
- a frame;
- a thermal print head assembly supported by said frame, the thermal print head assembly mounted for movement toward and away from the carrier web;
- a pivot connected to the frame of said thermal print head assembly; and
- a sensor for sensing a displacement of the thermal print head assembly as edges of the media pass beneath the print head,

wherein the sensor is a position sensor connected to the frame,

wherein the sensor is an arrangement comprising a light emitter and a detector,

and

wherein the light emitter and the detector are separated by a variable area mask coupled to the pivot.

36. (currently amended) A printer for printing on media spaced longitudinally along a carrier web, the printer comprising:

- a driving mechanism for advancing the carrier web along a media path;
- a frame;
- a thermal print head assembly supported by said frame, the thermal print head assembly mounted for movement toward and away from the carrier web;
- a sensor in communication with said thermal print head assembly for sensing a displacement of the thermal print head assembly due to the passage of the media beneath the print head, wherein the sensor arrangement comprises a light emitter and detector; and
- a pivot connected to the frame of said thermal print head assembly, and

wherein the light emitter and the detector are separated by a variable area mask coupled to the pivot.

Claim 40, line 2 and line 3, inserted the word "thermal" before the two occurrences of the phrase "print head".

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

The primary reason for the indication of allowability of claims 11, 23, 26, 27, 33, 36, 37 and 40-42 is the inclusion of the limitations of a thermal printer including a motion sensor arrangement, responsive to angular displacement of a print head, the motion sensor arrangement including a light emitter and a detector, wherein the light emitter and the detector are separated by a variable area mask coupled to a pivot connected to a thermal print head assembly. It is these limitations found in the claims, as they are claimed in the combination of, which have not been found, taught or suggested by the prior art of record which makes these claims allowable over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Comments Regarding The Drawings

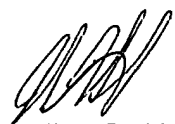
Applicant is reminded that figs. 3, 4, 9a, 9b, 10a, and 10b are hand-drawn. The drawings are approved, however, applicant may wish to file more formal versions of these drawings.

Communications With The USPTO

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julian D. Huffman whose telephone number is (571) 272-2147. The examiner can normally be reached on 10:00a.m.-6:30p.m. Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Julian D. Huffman
7 November 2005



STEPHEN MEIER
SUPERVISORY PATENT EXAMINER